

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2011-0347; Airspace Docket No. 11-ASO-11]

#### Proposed Establishment of Class D and E Airspace and Amendment of Class E Airspace; Punta Gorda, FL

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to establish Class D and E airspace and amend existing Class E airspace at Punta Gorda, FL, to accommodate the new air traffic control tower at Punta Gorda Airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at the airport. This action also would change the airport name and update the geographic coordinates of the Punta Gorda Airport.

**DATES:** 0901 UTC. Comments must be received on or before November 10, 2011. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA, Order 7400.9 and publication of conforming amendments.

**ADDRESSES:** Send comments on this rule to: U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey, SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2011-0347; Airspace Docket No. 11-ASO-11, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the rule, any comments received, and any final disposition in

person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Airspace Specialist, Operations Support Group, Eastern Service Center, Air Traffic Organization, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers (FAA docket number. FAA-2011-0347; Airspace Docket No. 11-ASO-11) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>. Those wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/). Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration (FAA), Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

#### The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to establish Class D airspace, Class E surface area airspace and Class E airspace designated as an extension to a Class D surface area at Punta Gorda Airport, Punta Gorda, FL. Controlled airspace is necessary to support the operation of the new air traffic control tower, and would enhance the safety and management of IFR operations at the airport. Also, the airspace designation for existing Class E airspace extending upward from 700 feet above the surface would note the name change from Charlotte County Airport to Punta Gorda Airport, Punta Gorda, FL and would adjust the geographic coordinates to be in concert with the FAA's aeronautical database.

Class D and E airspace designations are published in Paragraphs 5000, 6002, 6004, and 6005 respectively, of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical

regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority.

This proposed rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This proposed regulation is within the scope of that authority as it would establish Class D and E airspace and amend existing Class E airspace at Punta Gorda Airport, Punta Gorda, FL.

#### **Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

#### **The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 will continue to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

##### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011, is amended as follows:

##### *Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

##### **ASO FL D Punta Gorda, FL [New]**

Punta Gorda Airport, FL  
(Lat. 26°55′08″ N., long. 81°59′27″ W.)

That airspace extending upward from the surface up to and including 2,500 feet MSL within a 4.5-mile radius of the Punta Gorda Airport. This Class D airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

##### *Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

##### **ASO FL E2 Punta Gorda, FL [New]**

Punta Gorda Airport, FL  
(Lat. 26°55′08″ N., long. 81°59′27″ W.)

That airspace extending from the surface up to and including 2,500 feet MSL within a 4.5-mile radius of Punta Gorda Airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

##### *Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Area.*

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##### **ASO FL E4 Punta Gorda, FL [New]**

Punta Gorda Airport, FL  
(Lat. 26°55′08″ N., long. 81°59′27″ W.)

That airspace extending from the surface 2.4 mile either side of the 036° bearing from Punta Gorda Airport extending from the 4.5-mile radius to 7.0 miles northeast of the airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

##### *Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

##### **ASO FL E5 Punta Gorda, FL [Amended]**

Punta Gorda Airport, FL  
(Lat. 26°55′08″ N., long. 81°59′27″ W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Punta Gorda Airport.

Issued in College Park, Georgia, on September 16, 2011.

**Mark D. Ward,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2011–24640 Filed 9–23–11; 8:45 am]

**BILLING CODE 4910–13–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

#### **14 CFR Part 382**

#### **49 CFR Part 27**

**RIN 2105–AD96**

**[Docket No. DOT–OST–2011–0177]**

### **Nondiscrimination on the Basis of Disability in Air Travel: Accessibility of Web Sites and Automated Kiosks at U.S. Airports**

**AGENCY:** Office of the Secretary (OST), Department of Transportation (DOT).

**ACTION:** Supplemental notice of proposed rulemaking.

**SUMMARY:** The Department of Transportation (Department) proposes to revise its rule implementing the Air Carrier Access Act (ACAA) to provide greater accommodations for individuals with disabilities in air travel by requiring U.S. and foreign air carriers to make their Web sites accessible to individuals with disabilities and to ensure that their ticket agents do the same. It would also require U.S. and foreign air carriers to ensure that their proprietary and shared-use automated airport kiosks are accessible to individuals with disabilities. In addition, the Department proposes to revise its rule implementing Section 504 of the Rehabilitation Act to require U.S. airports to ensure that shared-use automated airport kiosks are accessible to individuals with disabilities. This supplemental notice of proposed rulemaking (SNPRM) applies to U.S. carriers and to foreign air carriers operating flights to, from, and in the United States. It also applies to U.S. airports with annual enplanements of 10,000 or more. The proposed rule establishes the technical criteria and procedures that apply to automated airport kiosks and to Web sites on which covered air transportation is marketed to the general public in the U.S. to ensure that individuals with disabilities can readily use these technologies to obtain the same information and services as other members of the public.

**DATES:** Comments should be filed by November 25, 2011. Late-filed comments will be considered to the extent practicable.

**ADDRESSES:** You may file comments identified by the docket number DOT–OST–2011–0177 by any of the following methods:

• *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow